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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q66405

Robert HOFNER

Appln. No.: 09/989,231

Group Art Unit: 2113

Confirmation No.: 9606

Examiner: Emerson C. Puente

Filed: November 21, 2001

For: A FUNCTIONAL FAIL-OVER APPARATUS AND METHOD

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

An Excess Claims Fee Payment Letter, along with the required fee, is being concurrently filed with this Amendment.

A Petition for an Extension of Time, along with the required fee, is being concurrently filed with this Amendment.

In response to the Non-Final Office Action dated August 30, 2004, please amend the above-identified application as follows on the accompanying pages.

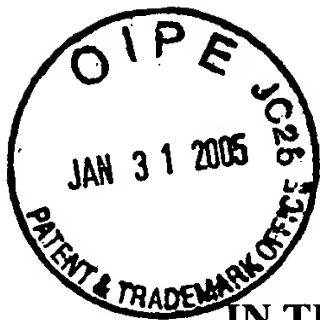
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EXCESS CLAIM FEE PAYMENT LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Amendment Under 37 C.F.R. § 1.111 is attached hereto for concurrent filing in the above-identified application. The resulting excess claim fee has been calculated as shown below

(Small Entity fees apply):

	After Amendment		Highest No. Previously Paid For					
All Claims	<u>70</u>	-	<u>72</u>	=	<u> </u>	X	<u>\$25.00</u>	= <u>\$.00</u>
Independent	<u>10</u>	-	<u>8</u>	=	<u>2</u>	X	<u>\$100.00</u>	= <u>\$200.00</u>
TOTAL							=	<u>\$200.00</u>

EXCESS CLAIM FEE PAYMENT LETTER
US APPLICATION NO. 09/989,231
ATTORNEY DOCKET NO. Q66405

A check for the statutory fee of \$200.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this letter is enclosed.


SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,


Kelly G. Hyndman
Reg. No. 39,234

Paul J. Wilson

Registration No. 45,879

Date: January 31, 2005